

# Recordkeeping and Reporting Requirements for Food Recovery Organizations and Services

Do you operate a food distribution program, hunger-relief group, food pantry, or similar organization that rescues edible food in the City of San Diego? This handout provides information on how to ensure you are in compliance with the new California Senate Bill (SB) 1383 and the City of San Diego's Recycling Ordinance.

## This information applies to your organization if:

- Your primary location is within the City of San Diego.
- You rescue and/or accept rescued food directly from Tier 1 and/or Tier 2 **Edible Food Generators (EFGs)**.<sup>\*</sup> Organizations which purchase or pick up food from a food bank are not required to report on this food.

## Under the new laws, food recovery organizations and food recovery services must do the following:

### Your Food Recovery Organization must...

- **Maintain records of:**
  - Name, address and contact information of all EFGs and food recovery services that you received food from.
  - The quantity, in pounds per month, received from each EFG.
- **Submit an annual report by Jan. 31** (beginning in 2023) to the City of San Diego containing information for the previous calendar year:
  - All the above maintained records.
  - Quantities of edible food received from EFGs must be expressed in pounds per year.
- **Provide businesses that you receive food from with written information** about liability protections outlined in California and Federal Good Samaritan Food Donation Acts.

### Your Food Recovery Service must...

- **Maintain records of:**
  - Name, address and contact information of all EFGs that you collected edible food from.
  - The quantity, in pounds per month, collected from each EFG.
  - The quantity, in pounds per month, transported to each food recovery organization from an EFG.
  - The name, address and contact information of all the food recovery organizations that received transported edible food from an EFG.
- **Submit an annual report by Jan. 31** (beginning in 2023) to the City of San Diego containing information for the previous calendar year:
  - All the above maintained records.
  - Quantities of edible food received from EFGs must be expressed in pounds per year.
- **Provide businesses that you collect food from with written information** about liability protections outlined in California and Federal Good Samaritan Food Donation Acts.

## \*Edible Food Generators (EFGs) are designated as:

### Tier One Edible Food Generators (Required by SB 1383 to donate as of Jan. 1, 2022)

- **Supermarkets**
- **Grocery stores** (10,000 square feet or more)
- **Food service providers**
- **Food distributors**
- **Wholesale food vendors**

### Tier Two Edible Food Generators (Required by SB 1383 to donate as of Jan. 1, 2024)

- **Restaurants** (250 or more seats or 10,000 square feet or more)
- **Hotels with on-site food facility** (200 or more rooms)
- **Health facility with on-site food facility** (100 or more beds)
- **Large venues and large events** (2,000 daily attendees or more)
- **State agency with cafeteria** (250 or more seats or 5,000 square feet or more)
- **Education agency with on-site food facility**

# Frequently Asked Questions:

## What is a Food Recovery Organization?

“Food recovery organization” means an entity that collects or receives rescued edible food directly from commercial edible food generators and distributes that edible food to the public either directly or through other entities including, but not limited to: a food bank, a nonprofit charitable organization or a nonprofit charitable temporary food facility. Recovered food is food that would otherwise have been disposed of; it does not include purchased food.

## What is a Food Recovery Service?

“Food recovery service” means a person or entity that collects and transports rescued edible food from a commercial edible food generator to a food recovery organization or other entities for food recovery.

## How will this affect my current operations?

If your organization accepts rescued food donations from an EFG and your primary location is in the City of San Diego, you are now required to maintain records and report annually to the City of San Diego regardless of where the EFG you receive food from is located.

There may also be the potential for increased donated food. However, you are not required to accept more food than you have capacity for.

Designated businesses that are required to donate surplus edible food are now required to enter into written agreements with food recovery organizations and services like yours.

## Are there resources for my organization or service to help with the influx of more edible food donations?

If your organization or service is interested in expanding its capacity, you may be able to pursue grant funding from CalRecycle’s Food Waste Prevention and Rescue Grant Program:

[calrecycle.ca.gov/climate/grantsloans/foodwaste](http://calrecycle.ca.gov/climate/grantsloans/foodwaste)

## How to Report:

You can find a recordkeeping template and submit your report at:  
[sandiego.gov/FR0report](http://sandiego.gov/FR0report)

## Need Guidance?

Contact Environmental Services at:  
[sdrecyclingworks@sandiego.gov](mailto:sdrecyclingworks@sandiego.gov)  
or 858-694-7000.



Environmental  
Services